UNITED
NATIONS

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Economic and Social
Council

Distr.
LIMITED

E/CN.4/1998/L.17
1 April 1998

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-fourth session
Agenda item 5

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS

Algeria*, Angola*, Bangladesh, Cameroon*, China, Colombia*, Cuba, Democratic People's Republic of Korea*, Democratic Republic of the Congo, Egypt*, Gabon*, Ghana*, Guinea, Haiti*, Iran (Islamic Republic of)*, Iraq*, Kenya*, Madagascar, Mali, Mozambique, Nigeria*, Rwanda, Senegal, Sudan, Swaziland*, Syrian Arab Republic*, Togo*, United Republic of Tanzania*, Viet Nam*, Yemen* and Zimbabwe*: draft resolution

1998/... Effects on the full enjoyment of human rights of the economic adjustment policies arising from foreign debt and, in particular, on the implementation of the Declaration on the Right to Development

The Commission on Human Rights,

Recalling that the purpose of the Universal Declaration of Human Rights is the full promotion and protection of human rights and fundamental freedoms,

Reaffirming the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, and the resolutions and decisions adopted by the United Nations in connection with the problem of the foreign debt of the developing countries,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Bearing in mind that the absolute amounts attained by the foreign debt and debt service of the developing nations indicate the persistent seriousness of this situation and that despite the improvement in some indicators, the foreign debt burden continues to be intolerable for a considerable number of developing countries,

Aware that the serious problem of the foreign debt burden remains one of the most critical factors adversely affecting economic, social, scientific and technical development and living standards in many developing countries, with serious effects of a social nature,

Stressing that the economic globalization process creates new risks and uncertainties,

Expressing its concern at the continuing decline in levels of official development assistance,

Considering that the measures for alleviating the debt problem, of both official and private origin, have not achieved an effective, equitable, development-oriented and durable solution to the outstanding debt and debt service of a large number of developing countries, especially the poorest and heavily indebted countries,

Bearing in mind the relationship between the heavy foreign debt burden and the considerable increase in poverty which is apparent at the world level and is especially large in Africa,

Recognizing that the foreign debt constitutes one of the main obstacles preventing the developing countries from fully enjoying their right to development,

1. Takes note of the report submitted by the Secretary-General in accordance with Commission resolution 1997/10 of 3 April 1997 (E/CN.4/1998/24);

2. Stresses the importance of continuing to implement immediate, effective and durable actions for alleviating the debt and debt-service burdens of developing countries with debt problems in the framework of the realization of economic, social and cultural rights;

3. Affirms that the permanent solution to the foreign debt problem lies in the establishment of a just and equitable international economic order which guarantees the developing countries, inter alia, better market access,

stabilization of exchange rates and interest rates, access to financial and capital markets, adequate flows of financial resources and better access to the technology of the developed countries;

4. Stresses the need for the economic programmes arising from the foreign debt to take account of the specific characteristics, conditions and needs of the debtor countries and the need to incorporate the social dimension of development;

5. Affirms that the exercise of the basic rights of the people of the debtor countries to food, housing, clothing, employment, education, health services and a healthy environment cannot be subordinated to the implementation of structural adjustment policies and economic reforms arising from the debt;

6. Emphasizes the important need for the initiatives on the foreign debt, in particular the Debt Initiative for the heavily indebted poor countries and the decision of the Paris Club to go beyond the Naples terms, to be implemented completely and flexibly, and at the same time notes with concern the rigidity of the eligibility criteria approved by the international creditor community in the context of these initiatives;

7. Emphasizes the need for new flows of financial resources to the indebted developing countries, and urges the creditor countries and the international financial institutions to increase financial assistance on favourable terms as a means of supporting the implementation of the economic reforms, combating poverty, and achieving sustained economic growth and sustainable development;

8. Decides, in particular in the light of recent trends, to appoint, for a three-year period, a special rapporteur on the effects of foreign debt on the full enjoyment of economic, social and cultural rights;

9. Requests the Special Rapporteur to present an analytical report to the Commission, on an annual basis, beginning at its fifty-fifth session, on the implementation of the present resolution, paying particular attention to:

(a) The negative effects of the foreign debt and the policies adopted to face it on the full enjoyment of economic, social and cultural rights in developing countries;

(b) Measures taken by Governments, the private sector and international financial institutions to alleviate such effects in developing countries, especially the poorest and heavily indebted countries;

10. Requests the Secretary-General to provide the Special Rapporteur with all necessary assistance, in particular the staff and resources required to perform his or her functions;

11. Urges Governments, international organizations, international financial institutions, non-governmental organizations and the private sector to cooperate fully with the Special Rapporteur in the discharge of his or her mandate;

12. Recognizes that there is a need for more transparency in the activities of international financial institutions;

13. Considers that, in order to find a durable solution to the debt problem, there is a need for a political dialogue between creditor and debtor countries within the United Nations system, based on the principle of shared interests and responsibilities;

14. Requests the United Nations High Commissioner for Human Rights to pay particular attention to the problem of the debt burden of developing countries, in particular of the less developed countries, and especially the social impact of the measures arising from the foreign debt;

15. Decides to continue to consider this matter at its fifty-fifth session in connection with the corresponding agenda item.